

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

GARRY ZIKA,

Plaintiff,

vs.

**CHRISTOPHER CALVERT, and
MATTHEW HOLCOMB,**

Defendants.

4:23CV3249

ORDER

Plaintiff has filed an application to proceed with this litigation without prepaying fees or costs. ([Filing No. 2](#)). The information contained in Plaintiff's affidavit demonstrates that Plaintiff is eligible to proceed *in forma pauperis*. Accordingly,

IT IS ORDERED:

1. Plaintiff's application, ([Filing No. 2](#)) is granted, and the complaint shall be filed without payment of fees.
2. The Clerk of Court shall send a copy of this Memorandum and Order together with two summons forms and two USM-285 forms to Plaintiff's attorney of record for service of process on Defendants.
3. If Plaintiff is not requesting service by United States Marshal, Plaintiff's attorney of record shall, as soon as possible, complete the summons forms and return them to the Clerk of Court to be issued. The issued summons will then be returned to Plaintiff's attorney of record for service on Defendants.
4. If Plaintiff is requesting service by the United States Marshal, Plaintiff's attorney of record shall, as soon as possible, complete the USM-285 forms and the summons forms and return them to the Clerk of Court. The Clerk of Court will sign the summons forms, to be forwarded with a copy of Plaintiff's Complaint to the U.S. Marshal for service of process. The Clerk of Court will copy the Complaint; Plaintiff's counsel need not do so. The Marshal shall serve the summons and the Complaint without payment of costs or fees.

5. This order is entered without prejudice to the court later entering an order taxing costs in this case. No one, including any plaintiff, is relieved by this order from the obligation to pay or to reimburse taxable costs after this action is over.

Dated this 27th day of December, 2023.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge